
REMARKS

Claims 1, 10, 14, and 20 are currently amended. Claims 9 and 11 have been canceled. Applicant respectfully submits that the amendments contained herein are fully supported by the Specification as originally filed and do not contain new matter.

Examiner's Interview

Applicant's representative respectfully thanks Examiner Aaron M. Dunwoody for the courtesy of discussing the present application in a telephonic Examiner's interview on July 12, 2005, initiated by Applicant's representative. Claims 14 and 20 were discussed during the interview. No agreement as to the status of these claims was reached.

Applicant's representative further thanks Examiner Dunwoody for the courtesy of discussing the Norwesco, Inc. document in a telephonic Examiner's interview on July 27, 2005, initiated by Applicant's representative. It was agreed that the scanning in of the Norwesco, Inc. document by the USPTO in the communication filed on January 26, 2005 produced an illegible copy of the document that was sent to the Examiner. It was further agreed to send the Norwesco, Inc. document directly to the Examiner so that he could review the document prior to scanning.

Information Disclosure Statement

The Norwesco, Inc. document as part of the communication filed on January 26, 2005 and listed on the 1449 Form filed with the present application on September 24, 2003 was not considered because the Examiner was unable to see the details of the document. Applicant is mailing an original of the Norwesco, Inc. document directly to the Examiner, as indicated above. Applicant believes that since this reference was cited on the 1449 Form filed with the present application on September 24, 2003, another 1449 Form and an Information Disclosure Statement is not required. However, if the Examiner feels that it is necessary to submit another 1449 Form and an Information Disclosure Statement, Applicant will gladly do so.

Claim Rejections Under 35 U.S.C. § 102

Claims 1 and 3-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hawkins (U.S. Patent No. 5,971,444). Applicant respectfully traverses.

Claim 1, as currently amended, recites an alignment rib disposed on the coupling between the flange and the second end, where the alignment rib is not directly connected to the flange. This is different than Hawkins in that the Examiner has taken a gusset that is directly connected to an annular flange 20 (Figures 1 and 2) as corresponding to the alignment rib of claim 1. Therefore, Hawkins does not include each and every recitation of claim 1, so claim 1 should be allowed.

Claims 3-8 depend from claim 1 and are thus allowable for at least the same reasons as claim 1. Therefore, claims 3-8 should be allowed. Claim 9 has been canceled, mooted the rejection thereof.

Claim Rejections Under 35 U.S.C. § 103

Claims 2 and 10-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hawkins (U.S. Patent No. 5,971,444) in view of Jones (U.S. Patent No. 2,554,622). Applicant respectfully traverses.

Claim 1, as currently amended, is patentably distinct from Hawkins. Moreover, Hawkins in combination with Jones fails to overcome the deficiencies of Hawkins with respect to claim 1. Therefore, claim 1 is allowable over Hawkins in view of Jones. Claim 2 depends from claim 1 and is thus allowable for at least the same reasons as claim 1. Therefore, claim 2 should be allowed.

Claim 10, as currently amended, recites a stud protruding from a face of a flange and passing completely through a gasket that abuts the flange, and a nut threadably attachable to the external threads, the nut comprising an annular groove into which the stud extends when the nut is threadably attached to the external threads. This is different from Hawkins in that Hawkins includes a groove 30 of an annular flange 20 (Figure 1). However, groove 30 is for receiving a first seal 16 (Figure 2 and Column 2, lines 34-36).

The Examiner has taken a surface 73 of a housing (or chamber) of Jones (Figure 5 and column 5, lines 32-41) as corresponding to the flange of claim 10, a projection or pin 74 extending from surface 73 as corresponding to the stud of claim 10, a flange 71 as corresponding

to the gasket of claim 10, and a slot 72 in flange 71 as corresponding to the hole in the gasket of claim 10 through which the stud passes completely therethrough. However, there is no indication or suggestion in Jones of pin 74 extending into an annular groove of a when the nut is threadably attached to external threads, as in claim 10. Moreover, if Hawkins was modified so that a stud extended into groove 30 of annular flange 20, the stud would conflict with the operation of first seal 16 by compressing a portion of seal 16 so that portion of seal 16 would not seal against vapor barrier 44 (Figure 3). Therefore, applicant contends that Hawkins teaches away from a nut comprising an annular groove into which a stud extends when the nut is threadably attached to external threads, as in claim 10. Therefore, neither Hawkins nor Jones, alone or in combination, includes nor suggests each and every recitation of claim 10, so claim 10 should be allowed.

Claim 11 has been canceled, mooted the rejection thereof. Claims 12-13 depend from claim 10 and are thus allowable for at least the same reasons as claim 10. Therefore, claims 12-13 should be allowed.

Claims 14 and 20, as currently amended, each include threading a nut of a tank fitting on external threads of a coupling of the tank fitting so that the nut engages an exterior surface of a tank, wherein there is no sealing material between the nut and the exterior surface of the tank. This is different from Hawkins in that Hawkins threads a female member (a nut) 14 on external threads 26 of a male member 12 so that female member engages a second seal 18 (see Figure 3 and column 3, lines 7-16). Moreover, Hawkins in combination with Jones fails to overcome the deficiencies of Hawkins with respect to each of claims 14 and 20. Therefore, claims 14 and 20 are allowable over Hawkins in view of Jones.

Claims 15-19 depend from claim 14 and thus are allowable for at least the same reasons as claim 14. Claims 21-27 depend from claim 20 and thus are allowable for at least the same reasons as claim 20. Therefore, claims 15-19 and claims 21-27 should be allowed.

RESPONSE TO NON-FINAL OFFICE ACTION

Serial No. 10/670,045

Title: TANK FITTING AND METHOD OF USE

PAGE 11

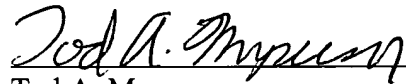
Attorney Docket No. 165.001US01

CONCLUSION

In view of the above remarks, Applicant respectfully submits that the claims are in condition for allowance and requests reconsideration of the application and allowance of claims. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2208.

Respectfully submitted,

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Tod A. Myrum
Reg. No. 42,922

Attorneys for Applicant
Leffert Jay & Polglaze
P.O. Box 581009
Minneapolis, MN 55458-1009
T 612 312-2200
F 612 312-2250